

2182

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: White et al.)
Serial No.: 10/045,517) Conf No: 3461
Filed: October 26, 2001) Group Art Unit: 2182
For: Time Triggered Communication Network) Examiner: Not Assigned
for Canopen Networks)
Atty Docket No.: SAA-74)

TRANSMITTAL LETTER

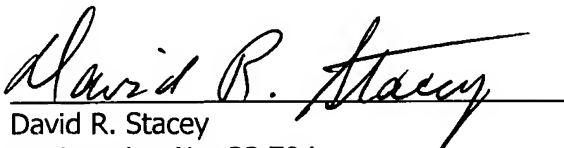
Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

For the above-referenced application, enclosed please find:

- 1) Terminal Disclaimer to Obviate a Provisional Double Patenting Rejection over a Pending "Reference" Application (PTO/SB/25);
- 2) Payment of Terminal Disclaimer Fee under 37 CFR 1.20(d); and
- 3) a Return Post Card.

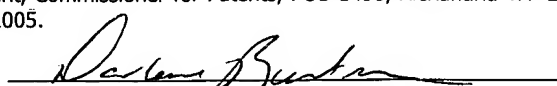
Respectfully submitted,


David R. Stacey
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CERTIFICATE OF MAILING

I hereby certify that this document is being deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to: MS Amendment, Commissioner for Patents, POB 1450, Alexandria VA 22313-1450 on this 22 day of July, 2005.


Darlene Rentschler / Laura G. Weiss



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AND TRADEMARK OFFICE**

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FEE AUTHORIZATION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please charge Deposit Account No. 19-3875 for a total of One Hundred Thirty Dollars and no/100 (\$130.00) for the payment of the Terminal Disclaimer Fee under 37 CFR 1.20(d). A photocopy of this Authorization is included for accounting purposes.

If any other charges are incurred or credited, please charge the Deposit Account shown above.

Respectfully submitted,

David R. Stacey
Registration No. 33,794
Attorney for Applicants

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Darlene Rentschler / Laura G. Weiss



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**TERMINAL DISCLAIMER TO OBTAIN A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING "REFERENCE" APPLICATION**

Docket Number (Optional)
SAA-74

In re Application of: William A. WHITE III

Application No.: 10/045,517

Filed: October 26, 2001

For: Time Triggered Communication Network for Canopen Networks

The owner*, Schneider Automation, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending **reference** Application Number 10/045,723, filed on October 26, 2001, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said **reference** application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending **reference** application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the **reference** application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said **reference** application, "as the term of any patent granted on said **reference** application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending **reference** application," in the event that: any such patent: granted on the pending **reference** application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 33,794

David R. Stacey
Signature

July 22, 2005
Date

David R. Stacey
Typed or printed name

847-925-3458
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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